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5 IN THE UNITED STATES DISTRICT COURT

6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8 JEROME L. GRIMES, } No. C 16-0297 JSW (PR)
9 Plaintiff, }
10 v. } **ORDER OF DISMISSAL;**
11 MCDONALD, et al., } **DENYING LEAVE TO**
12 Defendants. } **PROCEED IN FORMA**
13 _____ } **PAUPERIS**
14 (Dkt. No. 5)

15 Plaintiff, a jail inmate in Orlando, Florida, has filed this pro se civil rights case.
16 On May 18, 2000, this Court informed Plaintiff that under the "three-strikes" provisions
17 of 28 U.S.C. § 1915(g) he generally is ineligible to proceed *in forma pauperis* in federal
18 court with civil actions filed while he is incarcerated. *See Grimes v. Oakland Police*
19 *Dept.*, C 00-1100 CW (Order Dismissing Complaint, 5/18/00). Since then, Plaintiff has
20 continued to file hundreds of civil rights actions seeking *in forma pauperis* status. With
21 respect to each action filed, the Court conducts a preliminary review to assess the nature
22 of the allegations and to determine whether Plaintiff alleges facts which bring him within
23 the "imminent danger of serious physical injury" exception to § 1915(g). In the past,
24 Plaintiff has routinely been granted leave to amend to pay the full filing fee and to state
25 cognizable claims for relief, but he has habitually failed to do so. For example, in 2003
26 alone Plaintiff's failure to comply resulted in the dismissal of approximately thirty-six
27 actions under § 1915(g).
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In accord with this ongoing practice, the Court has reviewed the allegations in the

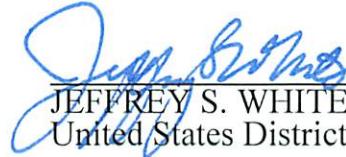
1 present action and finds that Plaintiff alleges no facts which bring him within the
2 “imminent danger” clause. As in his many prior cases, the complaint herein makes
3 highly implausible and sometimes unintelligible allegations. Plaintiff has been informed
4 on numerous occasions that allegations and claims such as these do not establish
5 imminent danger nor do they state cognizable claims for relief. Therefore, it would be
6 futile to grant Plaintiff leave to amend.

7 Accordingly, the application for leave to proceed in forma pauperis is DENIED
8 and this case is DISMISSED without prejudice under § 1915(g). If Plaintiff is so
9 inclined, he may bring his claims in a new action accompanied by the \$400.00 filing fee.
10 In any event, the Court will continue to review under § 1915(g) all future actions filed by
11 Plaintiff while he is incarcerated in which he seeks *in forma pauperis* status.

12 The Clerk of the Court shall close the file and terminate all pending motions.

13 IT IS SO ORDERED.

14 DATED: FEB 26 2016


15 JEFFREY S. WHITE
16 United States District Judge

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